



AF/2112
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: NGUYEN, et al.

Application No.: 09/618,365

Filed: July 18, 2000

Title: CONFIGURABLE COMMUNICATION
BOARD FOR A GAMING MACHINE

Attorney Docket No.: IGT1P022

Examiner: Huynh, Kim T.

Group: 2112

Confirmation No.: 8884

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on April 4, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Susan W. Xu
Susan W. Xu

NOTICE OF APPEAL

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

04/18/2005 DHALL1 00000001 500388 09618365
01 FC:1253 1020.00 DA

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed October 4, 2004 finally rejecting Claims 1-13, 29-30 and 32-50.

Per 37 C.F.R. § 1.17(b), the fee for this Notice is believed to be \$500 for a large entity.

Check No. 25953 for this amount is enclosed.

A Final Office Action was mailed on October 4, 2004, and a Response was timely filed within the two-month period thereafter. To date, no Advisory Action has been received. Accordingly, it is believed that no extension of time is necessary. However, this conditional petition is being made to provide for the possibility that such a petition and fee for extension of time is actually necessary.

06/2005 EAREDAY1 00000041 09618365

FC:1401 500.00 OP

Adjustment IGT1P022
date: 06/15/2005 SDIRETA1
04/18/2005 DHALL1 00000001 500388 09618365
01 FC:1253 1020.00 CR

1 of 2

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Signed: _____


Susan W. Xu

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

Mail Stop 16
Director of the US patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. REFUND REQUEST

This is a request for a refund of \$1020 for the charge made against Deposit Account No. 50-0388 on April 18, 2005 for the above-identified patent application (Control No. IGT1P022). A copy of the monthly statement in which the referred error occurs accompanies this request.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

04/18 1 09618356 IGT1P022 1253 \$1,020.00 \$33,593.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

A Final Office Action for the above-identified patent application was mailed from the United States Patent and Trademark Office ("USPTO") on October 4, 2004. 37 CFR §1.7(a) states, "When the day, or the last day fixed by statute or by or under this part for taking any

action or paying any fee in the United States Patent and Trademark Office falls on Saturday, Sunday, or on a Federal holiday within the District of Columbia, the action may be taken, or the fee paid, on the next succeeding business day which is not a Saturday, Sunday, or a Federal holiday." Although December 4, 2004 is exactly two months after the mailing date of the Final Office Action, this date fell on a Saturday, with the next succeeding business day being Monday, December 6, 2004. An appropriate Response to the Final Office Action was filed on Monday, December 6, 2004. Accordingly, this Response was timely filed within the two-month period after the mailing of the Final Office Action.

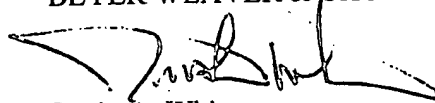
When an appropriate Response is filed "within two months of the date of a Final Office Action, the shortened statutory period will expire at 3 months from the date of the final rejection *or on the date the advisory action is mailed, whichever is later.*" See, e.g., MPEP 706.07(f). The first and only Advisory Action to Applicants' Response of December 6, 2004 was mailed from the USPTO on April 6, 2005, resulting in a shortened statutory period that expired on April 6, 2005. An appropriate Notice of Appeal was filed by Applicants on April 4, 2005, which was prior to the mailing date of this April 6 Advisory Action. Accordingly, no extension of time should have been necessary when the Notice of Appeal was filed on April 4, 2005.

Nevertheless, the USPTO has billed deposit account 50-0388 for a three month Extension of Time to Respond in this matter, which is not appropriate for at least the reasons given above.

IV. MANNER OF REFUND

Please process a refund of \$1,020.00 by crediting Account No. 50-0388 for this amount.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Justin A. White
Registration No. 48,883

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: April 2005
Deposit Account Number: 500388
Name: BEYER, WEAVER & THOMAS LLP
Attention: ACCOUNTING DEPARTMENT
Address: 590 W. EL CAMINO REAL
City: MOUNTAIN VIEW
State: CA
Zip: 94040
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/01	3	PCT/US04/18173		9204	-\$12.00	\$23,774.00
04/01	6	09874587	CISCP249/414	1201	\$800.00	\$22,974.00
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04/01	26	10370279	UDL1P081	2201	\$200.00	\$22,154.00
04/01	27	10370279	UDL1P081	2251	\$60.00	\$22,094.00
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Deposit Account Statement

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04/13 39	10907698	SUN1P804C1	1111	\$500.00	\$37,146.00
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04/15 301	10933707		8021	\$40.00	\$34,613.00
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04/18 151	60532427	GENSP118P	8013	\$25.00	\$31,753.00
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04/29 562	78619357	NXTGT006	7001	\$325.00	\$21,879.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$23,762.00	\$44,910.00	\$43,027.00	\$21,879.00

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